

You Just Got a Subpoena! Now What Are You Going To Do?

Questions to get answered before moving forward:

1. Who is the subpoena addressed to? Agency? Individual advocate? Survivor?
2. Does the subpoena ask for information that is protected by any privacy interest, confidentiality rule, or privilege law?
3. What does the subpoena demand someone do and where does it demand someone go?
4. What is the date the subpoena was issued, the date it was received, and the date on which action is demanded?
5. Who signed the subpoena?
6. Does the subpoena include any witness fee? Is a witness fee required?
7. Does the agency have any history or relationship with the attorneys and the judge on the case?
8. Can the agency safely notify the survivor that the subpoena was issued?
9. Will we make a phone call raising confidentiality, send a letter, or file a Motion to Quash?
10. Do we have an attorney ready to represent the advocate/agency and take an appeal?
11. What are the consequences of not complying with this particular subpoena?